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MINUTES BOARD OF FORESTRY AND FIRE PROTECTION FULL BOARD OF FORESTRY MEETING

Sacramento, CA

June 2-4, 2008

BOARD OF FORESTRY MEMBERS:	Stan Dixon, Chair Pam Giacomini, Vice Chair David Nawi Jim Ostrowski Bruce Saito Lloyd Bradshaw Gary Nakamura Doug Piirto Tom Walz
BOARD STAFF:	George Gentry, Executive Officer Eric Huff, Executive Officer, Forester's Licensing Teri Ashby, Board Counsel Chris Zimny, Regulations Coordinator Carol Horn, Executive Assistant
DEPARTMENT STAFF:	Crawford Tuttle, Chief Deputy Director Helge Eng, Resource Management Russ Henly, Assistant Deputy Director

The Board's Mission:

To lead California in developing policies and programs that serve the public interest in environmentally, economically, and socially sustainable management of forest and rangelands and a fire protection system that protects and serves the people of the state.

1. **Call to Order**

Vice Chair Giacomini called the Board of Forestry and Fire Protection to order on June 3, 2008 at 4:00 p.m.

2. **Adjourn to Executive Session**

Vice Chair Giacomini adjourned the meeting to Executive Session.

3. **Reconvene Regular Session**

Chairman Dixon reconvened the Board of Forestry on June 4, 2008 at 8:00 a.m.

4. **Announcement of Actions taken in Executive Session**

No action was taken during Executive Session.

5. **Approval of Minutes from the Regular Meetings of May, 2008.**

06-04-05: Member Saito moved to approve the May Board of Forestry and Fire Protection minutes. Member Bradshaw seconded the motion. All Members were in favor and the motion passed unanimously.

6. **Report of the Chairman.**

Chairman Dixon did not make a report.

7. **Report of the Director/Department.**

Mr. Crawford Tuttle, Chief Deputy Director gave an update on climate change, and said the Air Resources Board Scoping Plan should be released this month. Mr. Tuttle announced that some success had been achieved in reaching a consensus on a settlement for the ongoing litigation involving JDSF and the two pending THPs. Mr. Tuttle said the JAC Subcommittee met with eight members present at the meeting will be held later this month in Fort Bragg. Mr. Tuttle said CAL FIRE anticipated that the bankruptcy court for PALCO may take action this Friday. Mr. Tuttle said CAL FIRE supported the extension of the T/I rules, and they support development of a permanent rule.

8. **Report/Update from NOAA Fisheries- Dick Butler, Supervisor, Santa Rosa Area Office for Protected Resources, and Charlotte Ambrose, Recovery Coordinator, Santa Rosa Area Office for Protected Resources.**

Ms. Charlotte Ambrose introduced her staff and said Mr. Dick Butler could not attend the meeting. Ms. Ambrose gave a Powerpoint projection update about NOAA Fisheries. A copy of Ms. Ambrose's power projection is attached to the Board Binder

PUBLIC COMMENT

Mr. Paul Mason, representing Sierra Club California said, the level of collapse is unreasonable, and it was likely that the fish will disappear before the T/I rules come into effect on January 2010.

Mr. Dave Hope, representing NCRWQCB, said there were positive things that could be done for landscape. Mr. Hope said it was very difficult to replenish fisheries, and all streams have suffered from water loss.

Ms. Glenda Marsh, representing the Department of Fish and Game, said DFG does have a recovery plan for coho which could help the Board take action. Ms. Marsh said their Plan could be very informative to Board, and the plan could be used as a tool.

9. Report of Board's Advisory Committees

- California Oak Mortality Task Force (COMTF)

Mr. Mark Stanley gave an update on the California Oak Mortality Task Force. A copy of Mr. Stanley's report is contained in the Board Binder. Member Piirto suggested sending a letter of concern SB 1668, which is a bill for Marin and Sonoma Counties to receive funds to remove trees.

- Range Management Advisory Committee

No report for RMAC was made.

- Monitoring Study Group

Mr. Pete Cafferata gave an update on the Monitoring Study Group. A copy of Mr. Cafferata's report is contained in the Board Binder.

- Professional Foresters Examining Committee

Mr. Eric Huff, Assistant Executive Officer introduced Kirsten Vann, his new assistant. Mr. Huff said he will meet with the graders on June 17. Mr. Huff noted the recent passing of RPF No. 14 Mr. Scollay C. Parker. Mr. Huff said 23 RPFs have requested and met the requirements for license withdrawals.

06-04-09: Member Nawi moved to accept the requests for RPF license withdrawals. Member Ostrowski seconded motion. All Board Members were in favor of the motion and it passed unanimously.

06-04-09: Member Nawi moved to accept the license reinstatement from withdrawal status of RPF No. 2320. Member Piirto seconded the motion. All Board Members were in favor of the motion and it passed unanimously.

10. **Hearing (Possible action item): The California State Board of Forestry and Fire Protection will consider adoption of a regulation to the Forest Practice Rules (FPRs) to amend sections related to “Protection and Restoration in Watersheds with Threatened or Impaired Values”, generally termed Threatened or Impaired rules (T/I rules).**

Mr. Chris Zimny, Regulations Coordinator, said today was the initial 45 day meeting for the extension of T/I Rules. The comment period closed on April 27. Mr. Zimny said should the Board take action today, it would be a tentative adoption pending final adoption of the statement of reasons and response to comments in July.

PUBLIC COMMENT

Ms. Michelle Dias, representing California Foresters Association, said CFA supported one year extension, and thanked the Board for taking up the issue. Ms. Dias said CFA disagrees with Sierra Club, they believe it can happen by March, and they will participate in workshops.

Mr. Richard Geinger said to extend the T/I Rules and move forward.

Mr. Paul Mason, representing Sierra Club California said this was a minimal step and not adequate.

06-04-10: Member Nawi moved to adoption of the regulatory changes extending the sunset date for the T/I Rules. Member Piirto seconded the motion. Member Bradshaw made a friendly amendment to the motion to use the words “tentative adoption”. Both the maker of the motion and the seconder of the motion accepted Member Bradshaw’s friendly amendment. All Board Members were in favor of the motion and it passed unanimously.

11. **Review of the Department’s Draft Boggs Mountain Demonstration State Forest Management Plan Update. Possible Action Item: The Board may authorize the Department to prepare a draft Initial Study and CEQA Checklist for the Board’s consideration at a subsequent meeting.**

Mr. Helge Eng said the Draft Management Plan was distributed at the May Board meeting. The CAL FIRE revised the Management Plan after a public meeting and Board input. A copy of the Boggs Mountain Demonstration State Forest 2008 Draft Management Plan, Corrections and Additions, dated June 3, 2008 was distributed to the Board. The Department was asking the Board to decide what would be the appropriate CEQA Document to prepare. He felt the five-year turn around plan was appropriate, and state forest should report back to the Board every five years with a thorough review.

Board Members discussed this agenda item, and Member Walz said the last paragraph on page it should read decade rather than year. Mr. Eng will make the correction.

06-04-11: Member Piirto said the Management Committee recommended the Board enter into agreement with CAL FIRE to complete an initial study and CEQA Checklist as the appropriate action to follow, and that the Board direct that the initial study and checklist be completed for Committee and the full Board Meeting in July. Member Ostrowski seconded the motion. All Board Members were in favor of the motion, and it passed unanimously.

12. **Department presentation of the Draft Mitigated Negative Declaration for the LaTour Demonstration State Forest Management Plan. Possible action item: The Board may approve the Draft Mitigated Negative Declaration prepared by the Department for circulation to the Public.**

Mr. Helge Eng said the complete initial study was distributed last year at the April Board Meeting in Burney where they held a public meeting, which provided CAL FIRE with useful input. Those findings were incorporated into the draft mitigated declaration. Mr. Eng said the Department presented the new document to the Management Committee yesterday. He asked the Board to approve Draft Negative Declaration and start the 30-day public review period.

06-04-12: Member Piirto said the Management Committee reviewed the Management Plan and Negative Declaration yesterday and had some recommendations for full Board consideration (1) Full board accept the Committee's edits to the Draft Mitigated Negative Declaration, and (2) Full Board approval for a 30-day public circulation of the revised Draft Mitigated Negative Declaration through the State Clearinghouse. Member Nawi seconded the motion. All Board Members were in favor of the motion, and it passed unanimously.

13. **Discussion of the Board's and Fish and Game Commission's Joint Policy for Anadromous Salmonids. Possible Action Item: Board may vote to adopt the Joint Policy.**

Executive Officer Gentry said the Policy Committee had been working on the Joint Policy for Anadromous Salmonids for months, and over time the document had evolved into Joint Policy Statement. The document before the Board had the changes suggested by the Policy Committee incorporated into it, but the Executive Officer still needed to incorporate some appendices.

Member Ostrowski said they been working on the Joint Policy at Committee for a number of months. He said a new approach was to include some proactive measures to deal with anadromous fisheries that would be appropriate for both departments. Policy Committee asked that both departments report annually to Board on progress.

Member Nawi said the Joint Policy looked good. If the Board was ok with the document it would go to the Department of Fish and Game for Commission review and then public comment. Member Nawi suggested having a joint meeting with the Fish and Game Commission.

Executive Officer Gentry said if the Board approves the Joint Policy he would put in on the Board's website for review and shorten the review time.

06-04-13: Member Ostrowski moved that the Board approve and accept draft of the Joint Policy Statement on the Pacific Salmon and Anadromous Trout for submittal to the Fish and Game Commission at their next meeting with the minor edits noted in their discussion. Member Bradshaw seconded the motion. All Board Members were in favor of the motion, and it passed unanimously.

PUBLIC COMMENT

Mr. Richard Gienger said the Joint Policy was getting better, but it was too broad and certain things needed to be included in the Joint Policy. Mr. Geinger said it needed a joint team of Board, Commission, DFG and CAL FIRE. Mr. Geinger said the Joint Policy needed to instigate action in the short term.

Ms. Glenda Marsh, representing the Department of Fish and Game, said they did not have any response from the Commission. DFG Staff will recommend that the Commission move forward with the Joint Policy.

14. Report on the Urban Forestry Protocols- Greg McPherson, PhD Director, Center for Urban Forest Research PSW, USDA Forest Service

This agenda item was deferred.

15. Report of Board's Committees

Forest Practice Committee

Member Nawi, Chair of the Forest Practice Committee, said the Committee went through the process of the T/I Regulation with Ms. Charlotte Ambrose. The Committee decided to focus their attention narrowly on the regulatory provisions, as everyone is aware cumulative impacts analysis has been a long standing issue. Member Nawi suggested, and Member Ostrowski generally agreed, that the issue should go to the Policy Committee to see how that issue (cumulative impacts) would work out in the long term. The FPC had no action items to report

Policy Committee

Member Ostrowski said the Policy Committee had two action items that resulted from discussions on the Northern Spotted Owl rules, and there was still a great deal of concern regarding the process of the Spotted Owl in the THP Process. The Policy Committee prepared some changes to the rules and Policy Committee suggests the Board proceed with a 45-day noticing for the rule making.

06-04-15: Member Ostrowski made a motion to move forward with a 45-day notice for rule making. Member Piirto seconded the motion. All Board Members were in favor of the motion and it passed unanimously.

The Policy Committee reviewed the Initial Statement of Reasons and made some minor edits. The Policy Committee instructed Executive Officer Gentry to make those edits and go out with the 45-day notice.

06-04-15: Member Ostrowski made motion that the Board approve a 45 day notice for rule making with changes to the ISOR crafted at the review as well as the option that the Executive Officer to include, if he feels appropriate, both this change and the previous into one notice. Member Nawi seconded the motion.

Member Bradshaw suggested a friendly amendment that it might be helpful to reference both state and federal regulations. Members Ostrowski and Nawi accepted the friendly amendment.

All Board Members were in favor of the motion, and it passed unanimously.

Management Committee

Member Piirto said Boggs Mountain and Latour were the main issues discussed at the Management Committee. They will continue discussions on the THP process. Member Piirto said there would be a SYP Workshop on July 10th in Chester. The Management Committee had two action items, and one of those motions was for Agenda Item #11, prepare Draft Initial Study and CEQA Checklist for Boggs Mountain Demonstration Forest. The second action was for Agenda Item #12 regarding the Draft Mitigated Negative Declaration for Latour Demonstration State Forest. See above agenda items for the motions.

Resource Protection Committee

Member Giacomini, Chair of the Resource Protection Committee, said a new version of the 1996 Fire Plan Review was included in the Board Binder. The newer version has an executive summary and appendices included. It also includes an outline and timeframe for an update to the 1996 plan. Member Giacomini asked for full comments on the Fire Plan, and hoped to have it approved by the Board for possible adoption by July. Staff will post the draft on the web, take public comments, and distribute both comments and draft plan to the Board for July adoption. At the RPC meeting in July they will take comments and bring before the Full Board.

16. Report of the Regulations Coordinator

As a result of the tentative adoption made by the Board of the T/I Rule extension, the Board will need to review staff's draft findings and response to public comments during the month of June. The Board can then consider final adoption of the rule at the July 2008 Meeting.

There are two public hearings scheduled for the July Board Meeting on the amendments to the Forest Fire Exemption and the Emergency Notice for Fuel Hazard Reduction regulations.

17. Report of Executive Officer

Executive Officer Gentry said he had a meeting with the Public Information Office, and the Board's new website will be up and running this month. Mr. Gentry said he hoped to have another addition on the website for board meeting materials. Mr. Gentry and Mr. Zimny met with Senior Counsel from the Insurance Commission and they would like to meet again later this month.

18. Public Forum

Mr. Richard Geinger was disappointed that appendices for the Recovery Strategy were not included in joint policy.

Mr. Bill Keye, representing California Licensed Foresters Association, said the issue of the Northern Spotted Owl was a train wreck. Another train wreck could have been archeology program. Mr. Keye said Ms. Hazel Jackson, CLFA's Director was retiring; there will be an opening for Executive Director for CLFA. The final filing date for the position is July 15.

Ms. Michelle Dias, representing California Foresters Association, requested that Chairman Dixon extend the time allowed for Policy Committee. She said an additional hour would help.

Chairman Dixon said he would discuss the matter with the Chair of the Policy Committee.

19. New and Unfinished Business

Member Piirto said Dr. Pillsbury was retiring this year from CA Poly after 3- years. Member Piirto asked the Board to pass a resolution or send a letter to Dr. Pillsbury.

Chairman Dixon said Executive Officer Gentry would draw up a resolution.

20. Adjournment

Chairman Dixon adjourned the June 2008 meeting of the Board of Forestry and Fire Protection.

Respectfully submitted,

ATTEST:

George D. Gentry
Executive Officer

Stan Dixon
Chairman

Copies of the attendance sheets may be obtained from the Board Office.